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7 Attorneys for Plaintiff,
BETTER HOMES REALTY, INC.

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA

11 BETTER HOMES REALTY, INC.,

12 Plaintiff,

13 v.

14 LAWRENCE VECCHIO, VRI REALTY,
INC.,

15 Defendants.
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17

CASE No. C07 3058 HRL

**STIPULATION & [PROPOSED] ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE AND INITIAL DISCLOSURE
PERIOD**

1 WHEREAS the Initial Case Management Conference in this action is currently scheduled
2 for September 18, 2007;

3 WHEREAS, initial disclosures are currently scheduled to be made on, and the Joint Case
4 Management Statement must currently be filed by, September 9, 2007;

5 WHEREAS plaintiff BETTER HOME REALTY, INC. ("Plaintiff") and Defendants
6 LAWRENCE VECCHIO and VRI REALTY, INC. ("Defendants") desire to privately discuss
7 settlement of this matter, and believe that such discussion may lead to resolution of the entire
8 action;

9 WHEREAS Plaintiff and Defendants have agreed to meet in person during week of
10 September 13, 2007 to discuss settlement;

11 WHEREAS, during the pendency of these informal settlement discussions, Plaintiff and
12 Defendants both desire to avoid the additional attorneys' fees and costs of preparing initial
13 disclosures, drafting a Joint Case Management Statement and appearing at the Case Management
14 Conference;

15 THEREFORE, IT IS HEREBY STIPULATED, by and between Plaintiff and Defendants,
16 through their respective counsel of record, that the Initial Case Management Conference be
17 continued to Tuesday, October 23, 2007 at 1:30 p.m. in Courtroom 2, the Hon. Howard R. Lloyd
18 presiding.

19 IT IS FURTHER STIPULATED that initial disclosure due date and the due date for filing
20 the Joint Case Management Statement, respectively, be continued to October 16, 2007.

21 Dated: September 4, 2007

22 TOBIN & TOBIN

23
24 By: /s/ _____
25 Paul E. Gaspari, Esq. SBN 76496
26 Attorneys for Plaintiff
BETTER HOMES REALTY, INC.

1 Dated: September 4, 2007

KRIEG, KELLER, et al.

2
3 By: /s/ _____
4 Kenneth Keller, Esq. SBN 71450
5 Attorneys for Defendants
6 LAWRENCE VECCHIO and
7 VRI REALTY, INC.

8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9
10 Dated: _____

11 _____
12 Hon. Howard R. Lloyd
13 United States Magistrate Judge
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PROOF OF SERVICE

CASE NAME: Better Homes Realty, Inc. v. Lawrence Vecchio, et al.
COURT: United States District Court, Northern District of California
CASE NO.: C07 3058 HRL

I, Marilyn J. Cooper, declare:

I am over the age of eighteen years and not a party to the cause. I am employed by the law firm of Tobin & Tobin, 500 Sansome Street, 8th Floor, San Francisco, California 94111-3211.

On September 4, 2007, I served the documents described as: **STIPULATION & [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE AND INITIAL DISCLOSURE PERIOD** on the parties in this matter by placing a true copy thereof in a sealed envelope(s) addressed as follows:

Gregg A. Paradise, Esq.
Lerner, David, Littenberg, Krumholz &
Mentlik, LLP
600 South Avenue West
Westfield, New Jersey 07090
Tel: (908) 654-5000
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Attorneys for Defendants Lawrence Vecchio and VRI Realty, Inc.

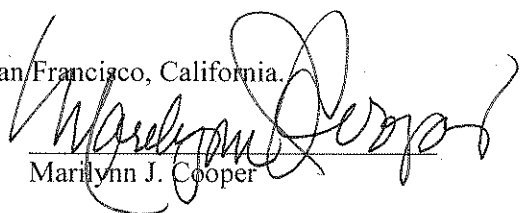
Kenneth Keller, Esq.
Krieg Keller, et al., LLP
114 Sansome Street, Floor 4
San Francisco, California 94104-3803
Tel: (415) 249-8330
Fax: (415) 249-8333
Attorneys for Defendants Lawrence Vecchio and VRI Realty, Inc.

Service of the above document(s) was effectuated by the following means of service:

XX **By First Class Mail** -- I am readily familiar with this firm's practice for collection and processing of correspondence for mailing with the United States Postal Service. It is deposited with the United States Postal Service in the ordinary course of business on the same day it is processed for mailing. I caused such envelope(s) to be deposited in the mail at San Francisco, California. The envelope was mailed with postage thereon fully prepaid.

XX **Federal Court** -- I declare under penalty of perjury that the foregoing is true and correct and that service was made under the direction of a member of the bar of this Court who is admitted to practice and is not a party to the cause.

Executed this September 4, 2007, at San Francisco, California.


Marilynn J. Cooper